



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/183,343	10/30/96	ISOMURSU	P 442-007078-U

CLARENCE A GREEN
PERMAN AND GREEN
425 POST ROAD
FAIRFIELD CT 06430

LM02/0616

EXAMINER

GELIN, J

ART UNIT

PAPER NUMBER

2744

10

DATE MAILED:

06/16/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/183,343

Applicant(s)

Isomursu et al.

Examiner

Jean A. Gelin

Group Art Unit

2744



☒ Responsive to communication(s) filed on May 9, 2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 8-31 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 8-31 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 8

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit: 2744

DETAILED ACTION

1. This is in response to the applicant's amendment and argument received on May 9, 2000 in which claims 24-31 have been added; claims 8-31 are currently pending. After a complete review of the response and claims, Applicant's arguments have been fully considered but they are not persuasive. Therefore, the rejection mailed on 02/04/00 remains.

Claim Rejections - 35 U.S.C. § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 8-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Turcotte in view of Crane et al. (Crane).

Regarding to claims 8, 15, Turcotte teaches a method of transferring data between a first device and a second device, the second device being remote from the first device, and both the first and second device being one of a mobile station capable of communicating over a mobile communications network, and of a computer capable of being connected to the mobile communication network (i.e., transmitting messages from one mobile unit to another mobile unit via the service center or network, col. 1, lines 25-36, col. 10, lines 40-49), the method comprising: transmitting information from the first device to the second device via at least one

Art Unit: 2744

mobile communications network (col. 3, lines 20-33, lines 65-67), transmitting a text message including a subject and time of an event (i.e., the appointment for this evening is canceled, col. 7, lines 45-57); receiving said text message at the second device (i.e., mobile station received the R-Data which includes an appointment, col. 7, lines 45-65); and storing the subject of the event of said received text message at the time of the event in an electronic calendar of the second device (i.e., the appointment for this evening is canceled, this message typically stores in the mobile for user to read it, col. 7, lines 45-57).

Turcotte does not specifically teaches transmitting a reservation calendar from one user to a second user via a communication network.

However, transmitting a reservation calendar from one user to a second user via a communication network is very well known in the art of communications, as evidenced by Crane. Crane discloses a notepad that receives messages over a network via the briefcase, said messages include requested information, calendar, instructions to make airplane reservation (col. 2, line 54 to col. 3, line 19). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have implemented the technique of Crane with the system of Turcotte in order to receive and send messages, make airline reservation in a manner that is simple and user-friendly format such that the user need not refer to a manual nor memorize an endless list of commands.

“With respect to claims 20, 21, they have limitations similar to those discussed above, and hence are rejected as being anticipated by Turcotte for the same reason given above.”

Art Unit: 2744

Regarding to claims 9, 22, Turcotte teaches the steps of allowing the user of the second device to select between confirming and canceling of said received text message, and performing the step of storing as a response to a confirmation by the user (col. 7, line 31 to col. 8, line 26, claims 5-7).

Regarding to claim 10, Turcotte teaches the step of sending a confirmation message from the second device to the first device as a response to said confirming of said received text message (col. 8, lines 10-26).

Regarding to claims 11, 16, Crane inherently teaches wherein the step of transmitting and receiving includes transmitting and receiving said calendar reservation in a user message, (col. 5, line 13 to col. 6, line 30)

Regarding to claims 12, 17, Turcotte discloses wherein said user message is one of a short message, a message according to the standardized SMS message, a message according to the standardized R data field message, a message according to the standardized USSD message, a message according to the standardized SOC message, and a message according to a wireless packet radio service (col. 4, lines 4-66).

Regarding to claims 13, 18, Turcotte inherently teaches wherein said user message comprises ASCII characters since the ASCII is the most popular coding system used in small communications device to convert letters and numbers into digital form.

Regarding to claims 14, 19, Turcotte teaches the short message includes an identifier identifying said user message (col. 5, lines 1-55).

Art Unit: 2744

Regarding to claim 23, Turcotte discloses the mobile station comprising a processor for connecting said received calendar reservation with said electronic calendar (i.e., the text message may include an appointment, col. 7, lines 45-55, col. 12, lines 9-15).

Regarding to claim 24, the claim is interpreted and rejected for the same reason as set forth in the rejection of claim 8 above.

Regarding to claim 25, Turcotte teaches adding the address of the second device to the user message (col. 8, line 11 to col. 6, line 65).

Regarding to claim 26, Turcotte teaches wherein the step of transmitting is started upon the user of the first device entering a second device (col. 5, lines 1-68).

Claim Rejections - 35 U.S.C. § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

5. Claims 27-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Theimer et al. (Theimer).

Regarding to claim 27, Theimer teaches a mobile station having means for wireless communication, wherein the mobile station comprises: an electronic calendar, the electronic

Art Unit: 2744

calendar storing a calendar reservation including a subject and time of an event (col. 10, lines 8-37); means for transmitting said calendar reservation via a mobile communications network (i.e., scheduling information such as a calendar, col. 10, lines 8-21); and means for sending said a calendar reservation in a user message to a receiving device, the user message including a destination address of the receiving device (i.e., sending an electronic message to remind user of the schedule meeting, col. 10, lines 9-20 and col. 24, lines 8-17).

“With respect to claim 31, it has limitations similar to those discussed above, and hence is rejected as being anticipated by Theimer for the same reason given above.”

Regarding to claim 28, Theimer inherently discloses wherein said user message is one of a short message, a message according to the standardized SMS message, a message according to the standardized R data field message, a message according to the standardized USSD message, a message according to the standardized SOC message, and a message according to a wireless packet radio service (col. 6, lines 23-27, col. 8, line 59 to col. 9, line 6, col. 16, line 32 to col. 17, line 30).

Regarding to claim 29, Theimer inherently teaches wherein said user message comprises ASCII characters since the ASCII is the most popular coding system used in small communications device to convert letters and numbers into digital form (col. 16, lines 19-45).

Regarding to claim 30, Theimer teaches the user message includes an identifier identifying said user message (i.e., a timer alarm, col. 12, lines 55-61).

Art Unit: 2744

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Heinlein et al. teaches computer system and method for process safety management hazard reviews.

Budd et al. teaches personal communicator including a handset phone with an integrated virtual image display.

Tiller et al. teaches selective reconfiguration method and apparatus in a multiple application personal communications device.

Response to Arguments

7. Applicant's arguments filed May 03, 2000 have been fully considered but they are not persuasive.

Regarding to claims 8-23, Applicant argues that the prior teaches the transmission of short text message (SMS) which contains text information such as let us meet tomorrow at 4:00 at the railway station. Therefore, transmitting a conventional SMS, as in Turcotte, containing mere text information is different than the Applicant's claimed limitations. Applicant further argues that transferring electronic calendar is different than text data and transmitting a calendar reservation is different than transmitting text messages describing an event and time.

The Examiner disagrees with the preceding argument: 1) the specification does not transmission of an event and time of the event is not text data. 2) the claims limitations do not include that the transmitting of calendar reservation is not transmitting text messages describing

Art Unit: 2744

events and times. Therefore, the Examiner believe that the claims limitations are still read on the system of Turcotte in view Crane which transmit text information describing events and times. The rejection mailed on 02/04/00 remains.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

Art Unit: 2744

(703) 308-6306, (for formal communications intended for entry)

Or:

(703) 308-6296 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean A. Gelin whose telephone number is (703) 305-4847.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

J. Gelin

June 6, 2000

JG



DWAYNE D. BOST
SUPERVISORY PATENT EXAMINER
GROUP 2700